

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JAN F. BECKER

:

Petitioner

:

v

: Civil Action no. CCB-07-2494

HUDSON, *et al.*

:

Respondents

:

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MEMORANDUM

The above-captioned action filed on September 17, 2007, was captioned as a petition for writ of habeas corpus. The pro se pleading names 37 respondents and asserts that petitioner has been kidnapped and imprisoned on the basis of secret trials conducted by the United Way. Paper No. 1. For the reasons set forth below, the case, more properly construed as a civil rights action, must be dismissed.

Mr. Becker is incarcerated in an Ohio state correctional facility serving a life sentence for rape and related charges. Although his pleading is no picture of clarity, he appears to allege that his current incarceration was a part of a vast conspiracy to cover up the United States' invasion of Iraq and included the President of the United States. Paper No. 1. Others involved in the conspiracy include congressman, senators, former United States Attorneys General, the Maryland Attorney General, and present and former governors of the state of Maryland. *Id.* The case is frivolous as it contains no cognizable basis for relief and has been filed in the wrong jurisdiction.

The pleading is subject to dismissal. Mr. Becker was enjoined from filing lawsuits in the United States District Court for the Northern District of Ohio because of his "repeated filing of frivolous and duplicative lawsuits." *See Becker v. Ohio State Legal Services, et al.*, Civil Action 1:00-cv-2784 (D. N.D. Oh. 2000). Under 28 U.S.C. § 1915(g):

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

Mr. Becker has been enjoined from filing lawsuits in a United States District Court and may not file a proceeding in forma pauperis in this court¹ unless he is under imminent danger of serious physical injury, which he can not establish with respect to the allegations raised in this case.

Mr. Becker's motion to proceed in forma pauperis will be denied and his complaint will be dismissed. A separate order follows.

October 4, 2007
Date

/s/
Catherine C. Blake
United States District Judge

¹ Even if the litigant could establish imminent danger of serious physical injury, it does not appear that this court has jurisdiction over the claims raised since all of the acts described occurred in Ohio.